

EXHIBIT B

DEFENDANT'S COPY
CITATION FOR PERSONAL SERVICE

THE STATE OF TEXAS

COUNTY OF RUSK

2018-175

TO: EAST TEXAS OILFIELD PRODUCTION SERVICES, INC.
Registered Agent: DANNY R. KENNEDY
866 CR 308, HENDERSON, TX 75654 OR P.O. BOX 985, KILGORE, TX 75662
OR WHEREVER HE MAY BE FOUND

NOTICE TO DEFENDANT: YOU HAVE BEEN SUED. YOU MAY EMPLOY AN ATTORNEY. IF YOU OR YOUR ATTORNEY DO NOT FILE A WRITTEN ANSWER WITH THE CLERK WHO ISSUED THIS CITATION BY 10:00 A.M. ON THE MONDAY NEXT FOLLOWING THE EXPIRATION OF TWENTY DAYS AFTER YOU WERE SERVED THIS CITATION AND PETITION, A DEFAULT JUDGMENT MAY BE TAKEN AGAINST YOU.

You are hereby commanded to appear by filing a written answer to the **MCBRIDE OPERATING, L.L.C.'S ORIGINAL PETITION WITH REQUEST FOR DISCLOSURE** at or before 10:00 a.m. of the Monday next after the expiration of twenty days after the date of service of this citation before the 4th District Court of Rusk County, Texas at the Courthouse of Rusk County at 115 N. Main Street, Henderson, Texas.

Said **MCBRIDGE OPERATING, L.L.C.'S ORIGINAL PETITION WITH REQUEST FOR DISCLOSURE** was filed in said court, 7/09/2018, in this cause, numbered 2018-175 on the docket of said court & styled:

MCBRIDE OPERATING, L.L.C.

VS.

EAST TEXAS OILFIELD PRODUCTION
SERVICES, INC.

§
§
§
§
§
§
§
§

IN THE 4th JUDICIAL

DISTRICT COURT

OF RUSK COUNTY, TEXAS

The nature of this demand is fully shown by a true and correct copy of the petition, accompanying this citation and made a part hereof.

The officer executing this citation shall promptly serve the same according to requirements of law, and mandates thereof, and make due return as the law directs.

Issued and given under my hand and seal of said court at Henderson, Texas this the 9th day of July, 2018.

Attorney for Plaintiff:
RON ADKISON
300 W. MAIN ST.
HENDERSON, TX 75652
PHONE 903-657-8545

Terri Pirtle Willard, Rusk County District Clerk
P O Box 1687 ~ Henderson, TX 75653-1687
115 N. Main, Suite 301 ~ Henderson, TX 75652
Phone (903) 657-0353

By *Rauney Martin*
Deputy



Officer's Return

2018-175

ADDRESS FOR SERVICE:

TO: EAST TEXAS OILFIELD PRODUCTION SERVICES, INC.

Registered Agent: DANNY R. KENNEDY

866 CR 308, HENDERSON, TX 75654 OR P.O. BOX 985, KILGORE, TX 75662

OR WHEREVER HE MAY BE FOUND

Came to hand on the 19th day of July 2018, at 9:00 o'clock
A .m., and executed in Rock County, by delivering to the within named defendants in person, a
 true copy of this Citation with the date of delivery endorsed thereon, together with the accompanying copy of
 the Citation- Cause No. 2018-175, at the following times and places,
 to-wit:

Name

Date/Time

Place, Course and Distance from Courthouse

DANNY R. Kennedy7-21-188:45 AM866 CR. 308 Henderson, TX 75654

And not executed as to the defendant(s)

The diligence used in finding said defendant (s) being:

and the cause or failure to execute this process is:

and the information received as to the whereabouts of said defendant(s) being:

FEES:

Serving Petition and Copy \$ _____, Sheriff

_____, County, Texas

By: _____, Deputy

Affiant

COMPLETE IF YOU ARE A PERSON OTHER THAN A SHERIFF, CONSTABLE,
 OR CLERK OF THE COURT.

"My name is (First, Middle, Last) _____, my date of birth
 is _____, and my address is _____ (Street,
 City, Zip)

I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND CORRECT.

Executed in Rock County, State of Texas, on the 21st day of July 2018.

Paul [Signature]
 Declarant/Authorized Process Server

PSC 125894-30-2020

(ID # & expiration of certification)

CAUSE NO. 2018-175

MCBRIDE OPERATING, L.L.C.	§	IN THE DISTRICT COURT OF
	§	
Plaintiff,	§	
	§	
vs.	§	RUSK COUNTY, TEXAS
	§	
EAST TEXAS OILFIELD PRODUCTION	§	
SERVICES, INC.	§	
	§	
Defendant.	§	4TH JUDICIAL DISTRICT

MCBRIDE OPERATING, L.L.C.'S ORIGINAL PETITION
WITH REQUEST FOR DISCLOSURE

TO THE HONORABLE JUDGE OF SAID COURT:

COMES now, MCBRIDE OPERATING, L.L.C. Plaintiff and makes and files the following original petition with request for disclosure and would show this honorable Court the following:

1.

Discovery Plan

Plaintiff intends to conduct discovery under Level 2 of the Texas Rules of Civil Procedure.

2.

Claim for Relief

Plaintiff seeks monetary relief over \$1,000,000.00.

3.

Venue

Venue is proper in Rusk County under Texas Civil Practice & Remedies Code section 15.002 because all or a substantial part of events or omissions giving rise to the claim occurred in Rusk County.

4.

Parties

Plaintiff is McBride Operating, L.L.C. a Texas limited liability corporation.

Defendant East Texas Oilfield Production Services, Inc. is a Texas corporation, whose registered agent for service is Danny R. Kennedy, 866 CR 308, Henderson, TX 75654 or P. O. Box 985, Kilgore, TX 75662 or wherever he may be found.

5.

Facts

Plaintiff MCBRIDE OPERATING, L.L.C is the owner of the McBride #1.

Defendant, EAST TEXAS OILFIELD PRODUCTION SERVICES, INC., hereinafter referred to as "ETOPSI" was the drilling consultant. ETOPSI was in control of the drilling operation. Plaintiff alleges that on or about October 25, 2017, Defendant completed the drilling on the McBride #1. The casing was not set deep enough to reach the Woodbine. As a result of this action, Plaintiff incurred damages in correcting the problem created by Defendant MCBRIDE OPERATING, L.L.C.

4.

Causes of Action

The facts detailed above state a negligence claim against Defendant and said acts proximately caused the plaintiff's damages.

These damages exceed the minimal jurisdictional limits of this Court.

5.

Damages

Plaintiff specifically pleads that because the Defendant committed negligence it is entitled to recover general damages as well as special damages specifically but not limited to cost of repair, cost of replacement, loss of profits, loss of wages, benefit-of-the-bargain, out of pocket, loss of credit, loss of goodwill, and attorney fees from the Defendant in an amount found by the trier of fact.

6.

Pre- and Post-Judgment Interest and Costs

Plaintiff specifically pleads to recover pre- and post-judgment interest at the highest legal rate, and its costs of court, as provided by law.

7.

Jury Demand

Plaintiff hereby demands a trial by jury, and tenders the necessary fee.

8.

Conditions Precedent

All conditions, precedent to Plaintiff's claim for relief have been performed or have occurred.

9.

Request for Disclosure

Under Texas Rules of Civil Procedure 194, Plaintiff requests that Defendant, EAST TEXAS OILFIELD PRODUCTION SERVICES, INC. disclose, within 50 days of the service of this request, the information or material described in Rule 194.2

WHEREFORE, PREMISES CONSIDERED, Plaintiff prays that the Defendant be cited according to law to appear and answer herein and that after final trial, Plaintiff have judgment against the Defendant for its actual damages, as alleged and proven.

Plaintiff prays for the recovery of exemplary damage from the Defendant, in an amount found by the trier of fact.

Plaintiff prays for the recovery of its prejudgment interest and postjudgment interest at the highest legal rates, costs of court.

Plaintiff prays for such other and further relief, general or special, in law or in equity, to which it may prove itself to be justly entitled.

Respectfully submitted,

ADKISON LAW FIRM

300 West Main

Henderson, Texas 75652

Telephone: (903) 657-8545

Telecopier: (903) 657-6108

nancy@adkisonlawfirm.com

By: 

Ron Adkison

State Bar No. 00921090

ATTORNEY FOR PLAINTIFF